

Exhibit 17

In The Matter Of:

*Securities and Exchange Commission v.
Elek Straub, et al.*

Slobodan Bogoeski

December 28, 2014

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<p style="text-align: right;">Page 45</p> <p>1 me that it was published in the Vecer, and I read the 2 text of the article. Obviously it is a matter of the 3 same document that we are now discussing. 4 Q. I guess my question is, the copy of the 5 Non-paper on the third page of Exhibit 91, is that the 6 same Non-paper as in Exhibit 231? 7 A. It is identical with this one. 8 Q. Did you provide the Non-paper to Vecer? 9 A. No. No. I have no contacts with journalists. 10 I have never had any contacts with journalists so far. 11 Q. Did the article in Vecer come out before or 12 after you gave the signed Non-paper to Trajanov? 13 A. I cannot remember the dates exactly, but I 14 think that it was published before I gave the documents 15 to Trajanov, because Vecer was a medium of the 16 government, and literally all the government -- all the 17 information coming from the government were -- the Vecer 18 found out first all the information that came from the 19 government. Probably it had been provided by the team 20 working on these documents because, as I said, several 21 unsigned copies of this were circulating. This is a 22 third final version that was signed. I'm guessing that 23 in the case that they hid -- they hid a lot of 24 documents. And I think that the only possibility for 25 Vecer to get such documents was that it had been</p>	<p style="text-align: right;">Page 47</p> <p>1 Cooperation, the first two paragraphs are labelled A 2 and B. 3 Do you see that? 4 A. Yes. Yes, I do. 5 Q. Does the Party A in the Non-paper refer to 6 paragraph A in the Protocol of Cooperation? 7 A. Yes, it refers to the prime minister of the 8 government. 9 Q. And does Party B in Exhibit 231, the Non-paper, 10 refer to paragraph B in Exhibit 230, the Protocol of 11 Cooperation? 12 A. Yes, it refers to Magyar Telekom, but it covers 13 also the people of Contominas. 14 Q. Okay. So now on -- looking at the Non-paper, 15 Exhibit 231, in the first paragraph, in the first 16 sentence it talks about the obligations from the numbers 17 1, 2, 3, and 4 from the protocol. 18 A. Okay. 19 Q. And do those -- does that sentence refer to the 20 paragraphs labelled 1, 2, 3, and 4 in Exhibit 230? 21 A. Yes, as it is written down, the obligations 22 that they need to fulfill. 23 Q. Okay. And in the first paragraph of 24 Exhibit 231, the Non-paper, it says that Party B will 25 pay 7.5 million Euros, of which 2.5 million to the</p>
<p style="text-align: right;">Page 46</p> <p>1 provided by somebody from the team that was working with 2 these documents. 3 Q. In the government. 4 A. From the team in the government that was 5 working on this case. Because even today the editor of 6 this newspaper, he's the first to publish all 7 confidential information from the government, even 8 information which is not supposed to be published. He's 9 a man of trust. 10 Q. It's now about 12:20 and we've been going for 11 almost two hours. I wonder if we might take a -- a 12 short break, if you could use a break? 13 THE INTERPRETER: He thinks that it would be best to 14 take a break for my sake. 15 MR. DODGE: Okay. So we'll take a break now and go 16 off the record at 12:20. 17 (Off the record.) 18 BY MR. DODGE: 19 Q. Okay. We are back on record now at 12:58. 20 First I'd like to ask you more questions about 21 230 and 231. This is the Non-paper and Protocol of 22 Cooperation. 23 If you look at the Non-paper, Exhibit 231, on 24 the signature line it refers to Party A and Party B. 25 And then if you look at Exhibit 230, the Protocol of</p>	<p style="text-align: right;">Page 48</p> <p>1 representative of Party A and 5 million Euros to the 2 friends from Tetovo, AA and MG. 3 Do you see that? 4 A. Yes, I do. 5 Q. And do you know who AA refers to? 6 A. Ali Ahmeti. 7 Q. And do you know who MG refers to? 8 A. Musa Xhaferi. 9 Q. And the payment of 7.5 million Euros, did you 10 understand that to be a bribe payment? 11 A. Absolutely. 12 Q. And then that paragraph continues, "The 13 dynamics of the payment will be as previously agreed: 14 2.5 million Euros on the day of the signing of the 15 protocol." 16 Do you see that? 17 A. Yes, correct. 18 Q. And does the protocol refer to Exhibit 230, the 19 Protocol of Cooperation? 20 A. Yes, it is. 21 Q. And then it says 2.5 million Euros until 30th 22 of December, 2005, and 2.5 million Euros in June 2006. 23 A. Correct. 24 Q. Okay. 25 A. Let me just clarify why these dates were set as</p>

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<p style="text-align: right;">Page 49</p> <p>1 such.</p> <p>2 These documents are conditioned (inaudible).</p> <p>3 In order for the signing of the Protocol of Cooperation</p> <p>4 to happen, the first installment had to be paid. That</p> <p>5 was the agreement.</p> <p>6 The second installment in the amount</p> <p>7 2.5 million Euros, it is again connected with the</p> <p>8 obligations from the Protocol of Cooperation, and they</p> <p>9 refer to payment of the dividend for 2004. The dividend</p> <p>10 was in the amount of 95 million Euros as far as I</p> <p>11 remember. The government to withdraw the lawsuits</p> <p>12 against telecom for failing to pay the compensation for</p> <p>13 frequency fees. And that is why this date was chosen:</p> <p>14 in order to have everything finished by the end of the</p> <p>15 year and for the second installment to be paid in the</p> <p>16 amount of 2.5 million Euros.</p> <p>17 And the last installment, dated here in the</p> <p>18 first paragraph is June 2006, but it is actually</p> <p>19 June 30th of 2006, because shortly after that the</p> <p>20 parliamentary elections were coming up. Buckovski and</p> <p>21 the others could only give warranty for the period until</p> <p>22 which they held position, and then they were insisting</p> <p>23 to finish everything until they held office to get the</p> <p>24 money. That is why the following obligations are</p> <p>25 connected with the last day, the 30th of June, 2006, and</p>	<p style="text-align: right;">Page 51</p> <p>1 time. I think you have not said anything on the record</p> <p>2 yet about -- about the payments.</p> <p>3 For the first two payments in May of 2005 and</p> <p>4 December of 2005, how do you know what happened?</p> <p>5 A. This is what happened.</p> <p>6 Because I was familiar with all of the</p> <p>7 activities that were going on, the day when they -- on</p> <p>8 the day when they arrived in Skopje for signing of the</p> <p>9 protocol --</p> <p>10 Q. Who's "they"?</p> <p>11 A. Contominas, Stavridis, Kefaloyannis, Sifikakis.</p> <p>12 -- then Sifikakis informed me, because he was</p> <p>13 responsible for the security of the companies of</p> <p>14 Contominas and for the personal security of Contominas,</p> <p>15 that he was present in person and the handing over of</p> <p>16 the money in Athens to Bekim Zemoski, that people from</p> <p>17 the company followed him to the border --</p> <p>18 Q. Let me -- let me back you up a little bit and</p> <p>19 start at the beginning.</p> <p>20 Where did -- where did the money come from?</p> <p>21 Who paid the money?</p> <p>22 A. The money was paid personally by Dmitri</p> <p>23 Contominas in his villa located near the new airport in</p> <p>24 Athens. This is where the money which came to Skopje</p> <p>25 were raised.</p>
<p style="text-align: right;">Page 50</p> <p>1 they arise from the estimate that everything that could</p> <p>2 be done until -- before the elections is certain to</p> <p>3 happen, and that after the elections, no one could give</p> <p>4 the warrant what will happen. This is why the last</p> <p>5 final date is set for June 30.</p> <p>6 Q. Do you know the date of the election in 2006?</p> <p>7 A. It was in July, the end of July, but I cannot</p> <p>8 remember exactly. It was the second week of July. I</p> <p>9 cannot remember exactly.</p> <p>10 Q. Okay. If I --</p> <p>11 A. I'm talking about the first round of voting.</p> <p>12 Q. If I suggest to you that the election was on</p> <p>13 July 5th of 2006, would that sound about right?</p> <p>14 A. Maybe. I cannot remember exactly. I know for</p> <p>15 certain that it was July.</p> <p>16 Q. Okay. The payments in the first paragraph of</p> <p>17 the Non-paper, do you know whether those payments</p> <p>18 were -- were made?</p> <p>19 A. For the first two installments, I can confirm</p> <p>20 with certainty that they have. From May and from</p> <p>21 December 2005. As I already described, it was carried</p> <p>22 out by Bekim Zemoski and the teams that were in the</p> <p>23 logistics. I cannot tell -- I don't know what happened</p> <p>24 in June after that. I don't know the details.</p> <p>25 Q. Okay. Let's talk about this one piece at a</p>	<p style="text-align: right;">Page 52</p> <p>1 Q. Okay. Walk me through the flow of the money.</p> <p>2 Where did it start and where did it end?</p> <p>3 A. The cash, as it was agreed, were taken from the</p> <p>4 home or from the villa of Dmitri Contominas. The person</p> <p>5 responsible for treasury in his home, it was a female, I</p> <p>6 don't remember her name, and the director for personal</p> <p>7 security, Iraklis Sifikakis, who was with him all the</p> <p>8 time, he was literally sleeping in the villa together</p> <p>9 with Contominas, and Iraklis Siladzis, he was</p> <p>10 responsible for finances, who prepared all the papers,</p> <p>11 all the documents for financial transactions, they were</p> <p>12 present in the two meetings when money was paid for</p> <p>13 Macedonia. Once they counted the money, the team from</p> <p>14 security of Contominas, together with Bekim --</p> <p>15 Q. Bekim. Bekim Zemoski?</p> <p>16 A. -- Bekim Zemoski, with their own vehicles, they</p> <p>17 would continue to the border crossing (inaudible) on the</p> <p>18 border with Macedonia. Once they would cross the Greek</p> <p>19 side of the border, in the in-between zone -- between</p> <p>20 the two -- in the free zone between the two border</p> <p>21 crossings, there they would meet the team of Buckovski,</p> <p>22 the bodyguard, the driver, and with the -- without being</p> <p>23 controlled, they would cross the Macedonian side of the</p> <p>24 border.</p> <p>25 Q. Now, how did they -- how did they avoid control</p>

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1 **Q** Who told you that, Mr. Bogoeski?

2 **A** In many occasions in the conversation with

3 Stavridis, Kefaloyannis, and Contominas, it was

4 mentioned, and the rest who actually were a part of the

5 realization of this.

6 **Q** But nobody at Magyer Telekom ever told you

7 that, correct?

8 **A** So I have never contacted with anybody from

9 Magyer Telekom, but with conversation with all these

10 people that I mentioned before -- Stavridis,

11 Kefaloyannis -- the financing comes from Magyer

12 Telekom.

13 **Q** To be clear, though, the only two people

14 you have said you discussed this with was Mr. Stavridis

15 and Mr. Kefaloyannis; is that correct?

16 **A** It's not true, and Contominas also.

17 **Q** Let's get back to my question, Mr.

18 Bogoeski. Party A and party B in the Non Paper, is

19 that meant to mean the government of Macedonia for

20 party A and Matav for party B?

21 **A** Party A is the government of Republic of

22 Macedonia.

23 **Q** And party B --

24 **A** Is the -- the party B is Matav from Magyer

25 Telekom.

1 did not just enter into one agreement?

2 **A** This is a normal and a standard procedure,

3 because the protocol, it's a public document between

4 the government and Magyer Telekom, and the Non Paper is

5 the criminal base on that protocol.

6 **MS. FRIED:** Did he say "criminal"?

7 **THE INTERPRETER:** Yes.

8 **THE WITNESS:** Exactly, because the money

9 were made in cash.

10 **BY MS. FRIED:**

11 **Q** Let's talk about the Non Paper, then.

12 You've described the payments -- you have

13 described the payments discussed in the Non Paper as

14 being bribe payments, correct?

15 **A** Not incomplete. I was just explaining the

16 procedure, how it was unfolding, the paying in cash.

17 **Q** So are you saying the Non Paper does not

18 discuss bribes?

19 **A** It explains. Of course, it explains.

20 **Q** What is your basis for saying that? Why do

21 you believe this document concerns bribes?

22 **A** Because in many occasions, I was attending

23 meetings on which were discussed the same context that

24 contains the Non Paper.

25 **Q** Which meeting --

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1 **Q** Okay. And do you know why in the Non Paper

2 the government of Macedonia and Matav are not

3 identified?

4 **A** I don't understand the question.

5 **Q** Do you know why the Non Paper refers to the

6 government of Macedonia and Matav only as party A and

7 party B?

8 **A** I don't know why, but I can just guess the

9 reasons. There was no need for the whole names to be

10 presented because the Non Paper is a paper of trust.

11 **Q** What do you mean -- isn't it actually the

12 case that the names -- you have said that the names

13 were not included because the Non Paper was intended to

14 be a hidden document, the agreement behind the

15 protocol?

16 **A** Yes, in one way you can consider it as a

17 cover document, a backup document for the protocol.

18 **Q** It's strange, though, isn't it, that

19 Mr. Buckovski and Mr. Straub then appear on the

20 signature lines? Do you agree?

21 **A** I cannot comment if it's strange or not,

22 but I explained to you before that it's a paper of

23 three parties.

24 **Q** Do you know why there is a Non Paper

25 separate from a Protocol of Cooperation and the parties

1 **A** Such in every meeting that I had with

2 Contominas was talked about the problems that they had

3 with paying in cash -- the payment towards the

4 government and the payment towards the Albanian

5 participants in the government.

6 **Q** But --

7 **A** And I was personally attending the paying

8 off of Abdulhalim Kasami with a million and \$250,000.

9 **Q** Isn't it the case that you never personally

10 observed or participated in the payment of bribes in

11 connection with this Non Paper?

12 **A** The lawyer, again, it's interpreting my

13 statements on a wrong way and turns it -- I said that I

14 am not a participant who made the decisions. Neither

15 the realization of this was dependent on me. That I

16 organized the meetings, that's true, that I'm informed

17 of the pains, especially -- especially of the last

18 portion of a million and 250 to the people of Tetovo.

19 **Q** Mr. Bogoeski, didn't you tell Mr. Dodge

20 that you were not present during the payment of any

21 bribes and that you were not personally present to see

22 documentation that bribes were paid?

23 **A** You're interpreting my statement wrongly

24 again or just partially interpreting the statement.

25 With the payments to Buckovski, with the payments for